UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,139	05/31/2001	Monte J. Rhoads	42390P11046	1934

8791 7590 11/29/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER	
DHARIA, PRABODH M	

ART UNIT	PAPER NUMBER
2673	

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/872,139	RHOADS, MONTE J.	
	Examiner	Art Unit	
	Prabodh M. Dharia	2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 March 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *7-9,14,18-21 and 23-27* is/are pending in the application.

4a) Of the above claim(s) *1-6,10-13,15-17 and 22* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *7-9,14,18-21 and 23-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 May 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *05-31-01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. **Status:** Receipt is acknowledged of papers submitted on 03-14-2005 under amendments have been placed of record in the file. Claims 7-9, 14, 18-21, 23-27 are pending in this action. Claims 1-6,10-13,15-17, 22 are cancelled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 7-9, 14, 18-21, 23-27 rejected under 35 U.S.C. 103(a) as being unpatentable over Bang (U.S. 6,522,530) in view of Clark et al. (US 2004/0165348 A1).

Regarding independent claim 7 Bang teaches an apparatus comprising a rack mount server by teaching a computer system 10 that serves as a server (see column 1, lines 33-35) wherein a monitor 14 is capable of being mounted on the computer system (10) (see figure 1 at 10, 14, column 2, lines 17-20).

Furthermore, Bang teaches how the computer system has a front face via top cover 11 that provides a partial recess by means of the bracket accommodating portion 23 wherein display 14 is mounted within the bracket accommodating portion 23 as shown in configuration of figure 2 (see figure 2 at 11, 23, column 5, lines 58-63).

Also, Bang teaches how the display device 14 is movably coupled to the enclosure for multiple degrees of freedom of movement for the display device by teaching how the monitor 14

is capable of being both tilted (i.e., moved up and down), and swiveled (i.e., moved in a horizontal direction) with respect to the main body 10 in order to facilitate being viewed at multiple angles (column 2, lines 3-10, figures 1, 5-8 at 10, 14; column 3, lines 61-67, figures 3, 4 at 10, 14).

However, Bang fails to disclose adjustable screw. On the other hand Clark et al. recites and discloses adjustable screw (page 5, paragraphs 66, Lines 8-13, paragraphs 72,page 6, paragraphs 72-74, page 7, paragraphs 85,86, page 8, paragraphs 90).

Thus, it would have been obvious to a person of ordinary skill in the art to modify Bang's with Clark et al. to control the freedom of movement of the display device using adjustable screws to lock in to a position desired or required (page 5, paragraphs 66, Lines 8-13, paragraphs 72,page 6, paragraphs 72-74, page 7, paragraphs 85,86, page 8, paragraphs 90).

Regarding independent claim 14, and for claims 19-21, Bang teaches an apparatus comprising a rack mount server by teaching a computer system 10 that serves as a server (see column 1, lines 33-35) wherein a monitor 14 is capable of being mounted on the computer system (10) (see figure 1 at 10, 14, column 2, lines 17-20).

Furthermore, Bang teaches how the computer system has a front face via top cover 11 that provides a partial recess by means of the bracket accommodating portion 23 wherein display 14 is mounted within the bracket accommodating portion 23 as shown in configuration of figure 2 (see figure 2 at 11, 23, column 5, lines 58-63).

Also, Bang teaches how the display device 14 is movably coupled to the enclosure for multiple degrees of freedom of movement for the display device by teaching how the monitor 14 is

capable of being both tilted (i.e., moved up and down), and swiveled (i.e., moved in a horizontal direction) with respect to the main body 10 in order to facilitate being viewed at multiple angles (column 2, lines 3-10, figures 1, 5-8 at 10, 14; column 3, lines 61-67, figures 3, 4 at 10, 14).

Furthermore Clark et al. teaches to control the freedom of movement of the display device using adjustable screws to lock in to a position desired or required (page 5, paragraphs 66, Lines 8-13, paragraphs 72,page 6, paragraphs 72-74, page 7, paragraphs 85,86, page 8, paragraphs 90).

Regarding independent claim 18, and for claims 23 and 24, Bang teaches an apparatus comprising a rack mount server by teaching a computer system 10 that serves as a server (see column 1, lines 33-35) wherein a monitor 14 is capable of being mounted on the computer system (10) (see figure 1 at 10, 14, column 2, lines 17-20).

Furthermore, Bang teaches how the computer system has a front face via top cover 11 that provides a partial recess by means of the bracket accommodating portion 23 wherein display 14 is mounted within the bracket accommodating portion 23 as shown in configuration of figure 2 (see figure 2 at 11, 23, column 5, lines 58-63).

Also, Bang teaches how the display device 14 is movably coupled to the enclosure for multiple degrees of freedom of movement for the display device by teaching how the monitor 14 is capable of being both tilted (i.e., moved up and down), and swiveled (i.e., moved in a horizontal direction) with respect to the main body 10 in order to facilitate being viewed at multiple angles (column 2, lines 3-10, figures 1, 5-8 at 10, 14; column 3, lines 61-67, figures 3, 4 at 10, 14).

Furthermore Clark et al. teaches to control the freedom of movement of the display device using adjustable screws to lock in to a position desired or required (page 5, paragraphs 66, Lines 8-13, paragraphs 72,page 6, paragraphs 72-74, page 7, paragraphs 85,86, page 8, paragraphs 90).

Regarding claims 8 and 9, in further discussion of claim 7, Bang teaches the tiltably attached display 14 is coupled with a tilting member 20 that allows incremental adjustment of the display 14 (column 3, lines 61-67, figures 3, 4 at 10, 14, 20).

Claims 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bang (U.S. 6,522,530).

Bang does not teach explicitly a ball and socket joint attached within the body.

However, Bang teaches how a monitor bracket 47 has a coupling part 49 inserted into the bracket accommodating portion 24 to be coupled therewith so that the monitor bracket 47 allows the monitor 14 to be tilted relative to the main body 10 (column 5, lines 11-22, figures 3, 4 at 14, 24, 49, 51-53).

Thus, it would have been obvious to a person of ordinary skill in the art to modify Bang's bracket 47 to utilize a ball and socket configuration because the bracket 47 and coupling part 49 perform similar functions to the ball and socket configuration. The motivation for doing so would have to facilitate the tilting of the monitor relative to the main body 10 (column 5, lines 11-22, figures 3, 4 at 14, 24, 49, 51-53). Furthermore Clark et al. teaches to control the freedom of movement of the display device using adjustable screws to lock in to a position desired or

required (page 5, paragraphs 66, Lines 8-13, paragraphs 72,page 6, paragraphs 72-74, page 7, paragraphs 85,86, page 8, paragraphs 90) and tiltable bracket and clutch (page 6, paragraph 74, page 7, paragraph 84, Lines 8-20).

Response to Arguments

4. Applicant's arguments with respect to claims 1,14,18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M. Dharia whose telephone number is 571-272-7668. The examiner can normally be reached on M-F 8AM to 5PM.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

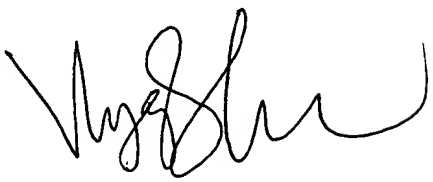
Commissioner of Patents and Trademarks

Washington, D.C. 20231

PD

AU2673

Novemeber 27, 2005



VIJAY SHANKAR
PRIMARY EXAMINER